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EXAMINER

VU, NGOC K

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/071,444	Applicant(s) KRIEGER ET AL.	
	Examiner Ngoc K. Vu	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 and 27-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 and 27-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed 1/23/07 with respect to claims 1-25, 27, and 31-36 have been considered but are moot in view of the new ground(s) of rejection.
2. With respect to claims 28-29, applicant does not specifically point out disagreements with the examiner's contentions. Applicant must discuss the references applied against claims 28-29, explaining how the claims avoid the references or distinguish from them. Therefore, the rejection of claims 28-30 as being anticipated by Thomas is maintained.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Thomas et al. (US 20020042920 A1).

Regarding claim 28, Thomas teaches a computer program product for implementing, in a multimedia system (see figures 2A-4) that includes a processing device (200) for receiving and processing video programming and video content information associated with the video programming and a display device (280 - figure 3) for displaying the video programming, a method of providing interactive access to the video programming and the video content information, the computer program product comprising: a computer-readable medium encoded

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with computer-executable instructions for implementing the method (see 0064), wherein the computer-executable instructions, when executed, cause the processing device to perform the act of: receiving at the processing device video content information (information related to media or movie such as program listings) associated with video programming that is scheduled to be broadcast (0046, 0057 and figures 5-8); displaying on the display device (280) a first interface image (450 - figure 5) that presents the video content information for a particular video program of the video programming (for instance, displaying information "98 COM BENNY HILL" by selecting one of options from screen 450, e.g., "By Time - see figures 5 & 8), the first interface image being linked to other video programs (e.g., by selecting BY TIME, BY CHANNEL, MOVIES, VOD, etc. in 452 - see figures' 5-8); and in response to viewer input, displaying on the display device a second interface image (900 - figure 11) that presents the video content information for one of said other video programs to which the first interface image is linked (i.e., detailed description of movie "Meet The Parents" as shown in figure 9).

Regarding claim 29, Thomas teaches wherein the first interface image further presents operation information (within 452) (i.e., PVR for access features or information of a personal video recorder) on the display device and enables the viewer to provide input to the processing device that causes the processing device to perform a specified operation with respect to the particular video program (e.g., recording a program - see figure 5, 0076).

Regarding claim 30, Thomas teaches that the first interface image presents search functionality (SEARCH feature in figure 5) performing filter operations to identify video programs representing a subset of the video programming that is scheduled to be broadcast (see 0077 and figure 5).

5. Claims 31, 32, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Proehl et al. (US 6,990,676 B1).

Regarding claim 31 Proehl discloses in a multimedia system (figure 1) that includes a processing device (12) for receiving and processing video programming and video content information associated with the video programming (col. 4, lines 15-46; col. 7, lines 8-14), and a display device (16) for displaying the video programming, a method of providing interactive access to the video programming and the video content information, comprising the acts of: receiving at the processing device video content information and video identification information associated with video programming that is scheduled to be broadcast (col. 7, lines 8-16; col. 4, lines 32-43; figures 5-6); receiving at the processing device video programming being broadcast (col. 7, lines 8-16; col. 4, lines 32-43); displaying on the display device a particular video program of the video programming (e.g., 652 – figure 13A), providing a video information select module (658 – figure 13A) that is selectable while the particular video program is being displayed, wherein the video information select module allows the user to request video content information (user can select any program/channel to request program information – col. 14, lines 56-66; figure 13A); in response to viewer request for video content information, displaying on the display device a first interface image (650 – figure 13A-13B) that presents the video content information for the particular video program (in 654 & 656 – figure 14; col. 10, lines 18-25), the first interface image being linked to supplemental content interfaces (654 & 656 – figures 13A-B); and in response to a viewer request for supplemental content information, displaying supplemental content interface (672 – figure 14), the supplemental content interface containing search functionality for searching the video programming for one or more other video programs (in response to viewer input, displaying a “search” icon 674 in a second screen 650 as shown in figure 14 to allow the user to search a defined program by entering a search term – col. 15, lines 18-23 and col. 16, lines 8-22).

Regarding claim 32, Proehl discloses that the first interface image is linked to other video programs of the video programming (by selecting any program/channel from table 658 – figures 13A-B).

Regarding claim 34, Proehl discloses that the supplemental content interface image is linked to other video programs of the video programming (e.g., by selecting “category” and further selecting “movies” – see figures 14-16); and the method further comprises, in response to viewer input, displaying on the display device a second interface image (650- figure 16) that presents the video content information for one of said other video programs to which the supplemental content interface image is linked (see figure 16; col. 15-16, lines 66-8).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US 6,990,676 B1) in view of Sai et al. (US 6,822,661 B2).

Proehl does not explicitly teach displaying an icon on the first interface image indicating the video programs having previously been viewed. However, Sai teaches displaying on a screen a visual indicator or icon indicating the video program already viewed (see abstract, figure 6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of the system of Proehl by displaying an icon indicating the video program having previously been viewed as taught by Sai in order to visually notify the user the already viewed programs.

8. Claims 1, 2, 8-14, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US 6,990,676 B1) in view of Young (US 6,498,895 B2).

Regarding claim 1, Proehl discloses in a multimedia system (figure 1) that includes a processing device (12) for receiving and processing video programming and video content information associated with the video programming (col. 4, lines 15-46; col. 7, lines 8-14), and a display device (16) for displaying the video programming, a method of providing interactive access to the video programming and the video content information, comprising the acts of: receiving at the processing device video content information associated with video programming that is scheduled to be broadcast (col. 7, lines 8-16; col. 4, lines 32-43); displaying on the display device a first interface image (650 – figure 13A) that presents the video content information for a particular video program of the video programming (information about program, e.g., EPG information), the first interface image being linked to other interface images associated with supplemental content information for the particular video program (col. 14, lines 36-60); in response to viewer input, displaying on the display device a second interface image (650 – figure 14) that presents the supplemental content information for the particular video program of the video programming (in 654 & 656 – figure 14; col. 10, lines 18-25); and within the second interface image that presents the supplemental content information for the particular video program, displaying a link (674 – figure 14) for searching the video programming for one or more other video programs (in response to viewer input, displaying a “search” icon 674 in a second screen 650 as shown in figure 14 to allow the user to search a defined program by entering a search term – col. 15, lines 18-23 and col. 16, lines 8-22). Proehl does not explicitly disclose that the supplemental content information presented by the second interface image being related to a specified category of the video content information. However, Young

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discloses that program note overlays 52 include further information about program such as a program genre, program description...etc (see col. 6, lines 25-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Proehl by including further information presented by an interface image related to program genre as disclosed by Young in order to visually provide user information about the category of a program.

Regarding claim 2, Proehl shows that the processing device further receives video identification information that correlates the video content information with the particular video program (col. 9-10, lines 66-9; figure 5).

Regarding claim 8, Proehl discloses in a multimedia system (figure 1) that includes a processing device (12) for receiving and processing video programming and video content information associated with the video programming (col. 4, lines 15-46; col. 7, lines 8-14), and a display device (16) for displaying the video programming, a method of providing interactive access to the video programming and the video content information, comprising the acts of: receiving at the processing device video content information associated with video programming that is scheduled to be broadcast (col. 7, lines 8-16; col. 4, lines 32-43); displaying on the display device a first interface image (650 – figure 13A) that presents the video content information for a particular video program of the video programming (information about program, e.g., EPG information), the first interface image being linked to other interface images associated with supplemental content information for the particular video program (col. 14, lines 36-60); in response to viewer input, displaying on the display device a second interface image (650 – figure 14) that presents the supplemental content information from the particular video program of the video programming (in 654 & 656 – figure 14; col. 10, lines 18-25); and within the second interface image that presents the supplemental content information for the particular

video program, displaying a link (674 – figure 14) for searching the video programming for one or more other video programs (in response to viewer input, displaying a “search” icon 674 in a second screen 650 as shown in figure 14 to allow the user to search a defined program by entering a search term – col. 15, lines 18-23 and col. 16, lines 8-22). Proehl does not explicitly disclose that the supplemental content information presented by the second/first interface image being related to a specified category of the video content information as recited in claim 8 and further recited in claims 11 and 13. However, Young discloses that program note overlays 52 include further information about program such as a program genre, program description...etc (see col. 6, lines 25-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Proehl by including further information presented by an interface image related to program genre as disclosed by Young in order to visually provide user information about the category of a program.

Claim 9 recites the limitations similar to the limitations recited in claim 2. Therefore, claim 9 is rejected by the same reason as applied to claim 2.

Claim 10 recites the limitations similar to the limitations recited in claim 3. Therefore, claim 10 is rejected by the same reason as applied to claim 3.

Regarding claim 12, Proehl disclose that video content information includes story line, actor information and rating information (see col. 14, lines 36-43).

Further regarding claims 13 and 14, Proehl discloses providing a plurality of supplemental content interface images associated with specified category of the video content information, wherein the plurality of supplemental content interface images comprising web pages (see figure 9; col. 12, lines 8-17).

Regarding claim 17-19, Proehl discloses providing a video information select module including identification information, linking to a listing on an EPG and linking to a display of a video program (see figures 5-6 and 13A-16).

Regarding claim 20, Proehl automatically recording the video program being displayed at the time of the viewer selection in response to viewer selection of the video information select module (see col. 13, lines 45-56).

9. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US 6,990,676 B1) in view of Rector, JR et al. (US 2004/0168186 A1).

Proehl does not explicitly teach that the first interface image presents search functionality and enables a viewer to provide input to the processing device that causes the processing device to perform filter operations on the video content information to identify video programs representing a subset of the video programming that is scheduled to be broadcast, as recited in claim 33. However, Rector teaches that selecting search option 56 from an on-screen menu allows desired categories and keywords to be entered to locate a desired entry in list 62. Once the desired search parameters are defined, a search of database is performed to find a program entry from list 62 that matches the search parameters, wherein search results 62 and program guide information 60 are displayed within interface 44 (see 0042 and figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Proehl by presenting search functionality and enabling a viewer to provide input to the system that causes the system to perform filter operations on the video content information to identify video programs representing a list of programs that is scheduled to be broadcast as taught by Rector in order to effectively present on screen the program guide information as well as search results in program list in response to user input for program categories and keywords search.

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10. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US 6,990,676 B1) in view of Young (US 6,498,895 B2) and further in view of Schein et al. (US 6,002,394 A).

Proehl does not explicitly teach that the first interface image further presents operation information on the display device and enables the viewer to provide input to the processing device that causes the processing device to perform a specified operation with respect to the particular video program, wherein the specified operation includes displaying the particular video program, recording the particular video program, and/or issuing a reminder that the specified video program is to be broadcast. However, Schein teaches presenting operation information, e.g., (2) to (6), on the screen to allow the user selects an option from the operation information to cause the system to perform a specific operation with respect to a particular program, e.g., football game on ABC channel, wherein in the specific operation includes tuning to that channel, recording the program, and/or reminding user when the program airs. (See figure 21B). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Proehl by presenting operation information on display device and enabling the viewer to provide input to the system that causes the system to perform a specified operation with respect to a particular video program, wherein the specified operation includes displaying the particular video program, recording the particular video program, and/or issuing a reminder that the specified video program is to be broadcast as taught by Schein in order to allow the user selects and interact with television program information in an effective manner.

11. Claims 7, 21-25, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US 6,990,676 B1) in view of Young (US 6,498,895 B2) and further in view of Rector, JR et al. (US 20040168186 A1).

Proehl does not explicitly teach that the first interface image presents search functionality and enables a viewer to provide input to the processing device that causes the processing device to perform filter operations on the video content information to identify video programs representing a subset of the video programming that is scheduled to be broadcast, as recited in claims 7 and 22, the video information select module is linked to search results provided in response to a search for video programming conducted by a viewer as recited in claim 21 and similarly recited in claim 36, and the search functionality as recited in claims 23-25. However, Rector teaches that selecting search option 56 from an on-screen menu allows desired categories and keywords to be entered to locate a desired entry in list 62. Once the desired search parameters are defined, a search of database is performed to find a program entry from list 62 that matches the search parameters, wherein search results 62 and program guide information 60 are displayed within interface 44 (see 0042 and figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Proehl by presenting search functionality and enabling a viewer to provide input to the system that causes the system to perform filter operations on the video content information to identify video programs representing a list of programs that is scheduled to be broadcast as taught by Rector in order to effectively present on screen the program guide information as well as search results in program list in response to user input for program categories and keywords search.

12. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US 6,990,676 B1) in view of Young (US 6,498,895 B2) and further in view of Thomas et al. (US 20020042920 A1).

Regarding claim 15, Proehl discloses presenting actor information but does not explicitly disclose an actor information page containing biographical and filmographical information for the

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selected actor. However, Thomas teaches an actor information page containing biographical and filmographical information for the selected actor such as actor interviews, cast information – (see 0106; figures 11-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Proehl by including an actor information page containing biographical and filmographical information for the selected actor as taught by Thomas in order to selectively provide further information about a particular actor to a viewer.

Regarding claim 16, Proehl further disclose the supplemental content interface image is linked to other video programs of the video programming; in response to viewer input, displaying on the display device another interface image that presents the video content information for one of said other video programs to which the supplemental content interface image is linked (e.g., favorites and tuning to favorite channels – figure 9).

7. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Proehl et al. (US 6,990,676 B1) in view of Young (US 6,498,895 B2) and further in view of Rodriguez et al. (US 20060026665 A1).

Poehl does not explicitly teach displaying video programs after filtering do not contain video programs previously viewed. However, Rodriguez teaches filtering feature comprising a filtering category included a movies already viewed criteria that is used to remove or filter out media titles from media title lists that are presented to the user (see 0055). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Proehl by filtering movies already viewed to remove or filter out media titles from media title lists that are presented user as taught by Rodriguez in order to effectively reduce time to navigate the lists.

Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



NGOC K. VU
PRIMARY EXAMINER
Art Unit 2623

May 14, 2007